

## **ORDINANCE NO. O-2005-35**

BE IT ENACTED BY THE QUORUM COURT OF THE COUNTY OF BENTON,  
STATE OF ARKANSAS, AN ORDINANCE TO BE ENTITLED:

AN ORDINANCE ADOPTING THE INTERNATIONAL BUILDING, RESIDENTIAL,  
MECHANICAL AND FIRE PREVENTION CODES (“INTERNATIONAL BUILDING  
CODE”) ESTABLISHED BY THE INTERNATIONAL CODE COUNCIL AND AS  
ADOPTED, AMENDED, AND REVISED BY THE STATE OF ARKANSAS AND  
PROVIDING FOR THE ADOPTION OF THAT CODE BY REFERENCE HEREIN.

WHEREAS, Arkansas Code Ann. Section 14-14-909 provides that a county  
Quorum Court may adopt by reference the provisions of any building codes, plumbing  
codes, electrical wiring codes, health or sanitation codes, together with any other code  
which embraces rules pertinent to a subject which is a proper local county affair; and

WHEREAS, Section 14-14-909 further provides that notice of the intent to adopt  
a code by reference shall be published after the second reading and prior to final adoption  
of the code; and

WHEREAS, Section 14-14-909 further provides that at least one (1) copy of the  
code which is to be incorporated or adopted by reference shall be filed in the office of the  
County Clerk and there kept available for public use, inspection, and examination; and

WHEREAS, Section 14-14-909 provides that the copy of the code shall be filed  
with the County Clerk for a period of thirty (30) days prior to final adoption of the  
ordinance which incorporates the code by reference; and

WHEREAS, the provisions contained in the International Building Code  
constitute a compilation of rules prepared by technical trade association regarding  
construction and fire prevention; and

WHEREAS, the Benton County’s “Regulations, Standards, and Specifications for  
the Subdivision, Conveyance, Development and Improvement of Unincorporated Land in  
Benton County, Arkansas”, (the “Bluebook”) provides that all commercial and industrial  
development must meet or exceed the current Arkansas fire prevention and safety codes;  
and

WHEREAS, Benton County and the Benton County Planning Department and  
Planning Board desires to establish and adopt as its building code the International  
Building Code established by the International Code Council;

NOW, THEREFORE, BE IT ENACTED BY THE QUORUM COURT OF THE  
COUNTY OF BENTON, STATE OF ARKANSAS:

ARTICLE 1: Benton County, Arkansas, adopts by reference the International Building Code, as prepared by the International Code Council, and any revisions or amendments thereto by the State of Arkansas as the building code for the unincorporated areas of Benton County, Arkansas.

ARTICLE 2: A copy of the international codes will be filed in the office of the Benton County Clerk and will be available for public use, inspection and examination.

ARTICLE 3: The international code shall be filed with the Benton County Clerk for a period of at least thirty (30) days prior to the final adoption of this ordinance.

ARTICLE 4: Any violation of the provisions of the International Building Code shall subject the specified person, firm, corporation, limited liability company, partnership, entity, or other private or personal combination or entity, without restriction, to a penalty of a misdemeanor offense punishable by a fine in the maximum amount of \$1,000 or by imprisonment for not more than thirty (30) days or both or by both fine and imprisonment.

ARTICLE 5: This ordinance shall be enforced by the Planning and Development Department and the County Fire Marshal.

APPROVED:

/s/ Gary D. Black  
GARY D. BLACK, COUNTY JUDGE  
DATE SIGNED: November 30, 2005

ATTEST:

/s/ Mary L. Slinkard  
MARY L. SLINKARD, COUNTY CLERK  
SPONSOR: JP Kurt Moore  
DATE ADOPTED: November 29, 2005  
Votes For: 12 Votes Against:         
Abstain:        Present:        Absent: 1